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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/777,010

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Chihiro Ono

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06/05/2006

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP  
1250 CONNECTICUT AVENUE, NW  
SUITE 700  
WASHINGTON, DC 20036

EXAMINER

HOSSAIN, TANIM M

ART UNIT

PAPER NUMBER

2145

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/777,010	Applicant(s) ONO, ET AL	
	Examiner Tanim Hossain	Art Unit 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Hobbs (U.S. 5,987,454).

As per claim 1, Hobbs teaches an information search and display apparatus comprising: a push type information interface for inputting push type information provided from a push type information distribution medium, the push type information being one-way transmitted from the push type information distribution medium (column 4, lines 20-34; column 5, lines 2-11); a pull type information interface for inputting pull type information and summaries of the pull type information from a pull type information distribution medium, said push type information and said pull type information being structured for display according to different formats (column 6, lines 36-64; column 9, lines 13-20; column 10, lines 19-30; column 15, lines 13-15; column 18, lines 20-26); summary extraction means for extracting summaries from said respective inputted push type information (column 22, lines 22-30); summary storage means for storing said extracted summaries; search condition input means for inputting search conditions (column 8, line 44); summary download means for downloading summaries of pull type information

satisfying said search conditions through said pull type information interface, wherein the summaries extracted from said respective inputted push type information and the summaries of pull type information downloaded by said summary download means are structured for display according to a predetermined common format (column 23, line 61 – column 24, line 12; where the summaries are returned in a text format); summary search means for searching summaries satisfying said search conditions from the summaries already registered in said summary storage means (column 23, lines 62-67); and summary list display means for displaying a list of said searched summaries and the summaries satisfying said search conditions and downloaded from the pull type information distribution medium (column 6, lines 36-64; column 23, line 61 – column 24, line 12; where the user searches for information, which results in the return of results with summaries, in the form of a list).

As per claim 2, Hobbs teaches an information search and display apparatus according to claim 1, comprising: information storage means for storing the push type information downloaded from said push type information distribution medium (column 6, lines 36-64; column 23, line 61 – column 24, line 12); summary designation means for designating one of the summaries displayed on the list; information download means for downloading information corresponding to said designated summary (column 6, lines 36-64; column 23, line 61 – column 24, line 12); and display control means for displaying said downloaded information in a unique form corresponding to a format of the information, wherein if the information corresponding to said designated summary is the information already registered in said information storage means, said information download means downloads the registered information, and if the information corresponding to said designated summary is unregistered pull type information, said

information download means downloads the unregistered pull type information from the pull type information distribution medium through said pull type information interface (column 6, lines 36-64; column 9, lines 22-29; column 23, line 61 – column 24, line 12; where the information can be downloaded from the registered Lexis/Nexis database, or from anywhere else).

As per claim 3, Hobbs teaches an information search and display apparatus according to claim 2, wherein the pull type information downloaded by said information download means is stored in said information storage means (column 6, lines 36-64).

As per claim 4, Hobbs teaches an information search and display apparatus according to claim 1, wherein said push type information distribution medium is broadcasting (column 6, lines 36-64).

As per claim 5, Hobbs teaches an information search and display apparatus according to claim 1, wherein said pull type information distribution medium is at least one of an information providing service utilizing a public line, Internet, and a disk medium (Abstract).

As per claim 6, Hobbs teaches an information search and display apparatus according to claim 1, wherein when accessing an information for which an operator is charged for download of said information or summaries, whether to admit or reject the download of the information is inquired in advance (column 2, lines 13-23; column 18, lines 49-67).

As per claim 7, Hobbs teaches an information search and display apparatus according to claim 6, wherein if access to the charged information is rejected, information from a medium free of charge is set as a search target (column 13, lines 13-40; where the non-payment of the fee results in the download of other free information).

As per claim 8, Hobbs teaches an information search and display apparatus according to claim 1, wherein in displaying list of said summaries, a list of only the important parts of the respective summaries is displayed (column 23, line 61 – column 24, line 12).

### *Response to Arguments*

Applicant's arguments filed on March 16, 2006 have fully been considered, but are not persuasive.

a. Applicant asserts that Hobbs does not teach the implementation of push type information being one-way transmitted from the push type information distribution medium. Examiner respectfully disagrees. Hobbs' "requesting" of push type information is limited to setting up a user-profile to offer a target for information that can be sent to the user, or downloading and installing a client to receive news broadcasts. This process may constitute requesting push type information in a literal sense, but in the sense in which Hobbs' invention is being implemented, the push type information does indeed arrive as a one-way transmission, as the user is not in direct control of this arriving information. He/she may have set up or installed the process through which information arrives, but ultimately defers to the installed broadcasting system to transmit information independently of any user request. Furthermore, if merely installing or setting up a client to receive push type information negates one-way transmittal, then in the present invention, it is also negated, because installing the present device requires similar installation and setup procedures. Therefore, system initialization necessarily does not negate a one-way transmittal of push type information.

b. Applicant also asserts that Hobbs does not teach the system including push type information and pull type information being in different formats. Examiner respectfully disagrees with this point, given that Hobbs teaches the returning of pull type information in HTML, for example, while the push type information may be returned as a PDF file, for example (column 10, line 28). Other formats may include video, other types of text, digital images, and the like. This information may be returned in any combination, which constitutes Hobbs' ability to include that the push type information and the pull type information are in different formats. Furthermore, Hobbs teaches returning brief summaries of both the pull and push type information, which is returned in a common format (HTML text in this case). This constitutes the common format of summaries, and different formats in the information, as claimed.

c. Applicant submits that Hobbs does not teach the searching of inputted push type summaries in storage. However, Examiner asserts that in column 4, lines 54-61, Hobbs discloses storing the push type summaries on the user's hard drive, and that the listed programs have the functionality of searching the summaries retrieved.

### *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanim Hossain whose telephone number is 571/272-3881. The examiner can normally be reached on 8:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571/272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tanim Hossain  
Patent Examiner  
Art Unit 2145

  
**JASON CARDONE**  
SUPERVISORY PATENT EXAMINER